

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

ROY WIEDRICH,

Plaintiff,

v.

Case No. 20-cv-92-pp

ANDREW M. SAUL,

Defendant.

**ORDER REQUIRING PLAINTIFF TO FILE AMENDED MTOION FOR LEAVE
TO PROCEED WITHOUT PREPAYING THE FILING FEE**

The plaintiff has filed a complaint seeking judicial review of a final administrative decision denying his claim for disability insurance benefits under the Social Security Act. Dkt. No. 1. He also filed a motion for leave to proceed without prepaying the filing fee. Dkt. No. 3.

To allow the plaintiff to proceed without paying the filing fee, the court first must decide whether the plaintiff can pay the fee; if not, it must determine whether the lawsuit is frivolous. 28 U.S.C. §§1915(a) and 1915(e)(2)(B)(i).

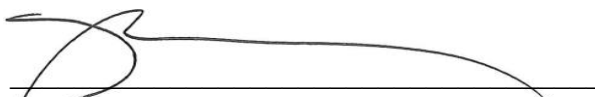
The plaintiff's affidavit does not provide enough facts for the court to determine whether he can pay the filing fee. The affidavit indicates that the plaintiff is not employed, he is not married, and he has no dependents he is responsible for supporting. Dkt. No. 3 at 1. The only source of income the plaintiff lists is \$192 from "Foodshare," id. at 2, and he lists no expenses at all, id. at 2-3. The court is perplexed as to how the plaintiff is living. He shows no

rent or mortgage payment, he owns a 1999 Jeep Cherokee Sport worth approximately \$250, but he has no other property of value or cash on hand or in a checking or savings account. Id. at 2-4. Perhaps the plaintiff lives with family or friends free of charge, perhaps those family or friends also provide for his needs, but there is nothing in the affidavit telling the court whether that's the case or who supports the plaintiff. The court will ask the plaintiff to file an amended request to proceed without prepaying the filing fee. The plaintiff is represented by counsel, who should assist him in filling out the amended request clarifying his living situation.

The court **ORDERS** that the plaintiff must file an amended request to proceed without prepaying the filing fee by the end of the day on **February 12, 2020**. If the plaintiff does not provide a new request in time for the court to receive it by the deadline, the court will deny his application to proceed without prepaying the filing fee and will require her to pay the full \$400 filing fee by a date certain.

Dated in Milwaukee, Wisconsin this 22nd day of January, 2020.

BY THE COURT:

A handwritten signature in black ink, appearing to read 'P. Pepper', is written over a horizontal line.

HON. PAMELA PEPPER
United States District Judge